

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

LUIS A. ACEVEDO GARCIA, ET ALS. *

*

Plaintiffs *

*

vs. *

Civil No. 97-2639 (JP)

*

**HON. ROBERTO VERA-MONROIG,
ET ALS.** *

*

*

Defendants *

**MOTION FOR INCLUSION OF THE JUDGMENT AGAINST THE
MUNICIPALITY OF ADJUNTAS IN THE MUNICIPAL BUDGET**

TO THE HONORABLE COURT:

NOW COMES plaintiffs, through the undersigned attorney, who very respectfully state and pray as follows:

On May 19, 2004, the United States Court of Appeals for the First Circuit issued its Opinion and Order on appeals 03-2103 and 03-2292 by defendants. A copy of the Court's Opinion and Order is appended hereto. The Opinion opens with the following statement: "In these appeals, we address the willful and longstanding efforts of a Puerto Rico municipality, its mayor and its personnel director to obstruct and delay the payment of a \$6.9 million jury award in a civil rights case."

The Court of Appeals has affirmed this Honorable Court's (i) denial of defendants' August 13, 2003 motion to vacate its prior budget-inclusion orders and (ii) finding of contempt. The Court of Appeals also has remanded the case (i) for a determination of the correct amount of the budget-inclusion order and (ii) for

consideration of contempt sanction alternatives other than the order for reemployment.

These appeals were argued to the Court of Appeals on May 5, 2004, and the decision was handed down on May 19, 2004. The promptness of the decision was for the obvious purpose of enabling this Honorable Court to issue a budget-inclusion order for inclusion of the judgment against the Municipality of Adjuntas in the Municipal budget for fiscal year 2004-2005. That budget will be established in June, 2004.

We also request that a hearing be held to consider alternative sanctions against defendants as ordered by the First Circuit.

WHEREFORE, plaintiffs respectfully request the issuance by this Honorable Court of an order to the defendants Municipality of Adjuntas and the Honorable Mayor Vera-Monroig to include in the Municipal budget for 2004-2005 \$6,356,400, the amount of the judgment against the municipality exclusive of the punitive damages award, plus the amount of \$96,300 of fees and costs, and an appropriate and specific sum as an initial award of post-judgment interest.

I HEREBY CERTIFY that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Attorneys Johanna Emmanuelli-Huertas, Esq. and Jorge Martinez Luciano, Pedro Ortiz Alvarez Law Offices, P.O. Box 9009, Ponce, Puerto Rico 00732; Luis V. Villares Sarmiento, Esq., Sanchez Betances & Sifre, P.S.C., P.O. Box 195055, San Juan, Puerto Rico 00919-5055.

In Aguadilla, Puerto Rico, this 24th day of May, 2004.

s/ Israel Roldán González
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